

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

<b>In Re:</b>	)	
	)	
<b>CIRCUIT CITY STORES, INC., et al.,</b>	)	<b>Chapter 11</b>
	)	<b>Case No. 08-035653-KRH</b>
<b>Debtors.</b>	)	<b>(Jointly Administered)</b>

**NOTICE OF MOTION AND NOTICE OF HEARING**

PLEASE TAKE NOTICE that McAlister Square Partners, Ltd. (the “Landlord”), by and through counsel, has filed with the Court in the above-styled bankruptcy, a *Motion and Supporting Memorandum of Law of McAlister Square Partners, Ltd. for an Order Compelling Debtors to Immediately Pay Administrative Rent Pursuant to 11 U.S.C. §§ 365(D)(3) and 503(B) and Granting Related Relief* (the “*Motion*”).

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)** If you do not want the Court to grant the relief sought in the *Motion*, or if you want the Court to consider your views on the *Motion*, then or before **December 18, 2008**, you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to *Local Bankruptcy Rule* 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

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Peter M. Pearl, Esquire – VSB #22344  
Lisa Taylor Hudson, Esquire – VSB #45484  
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(804) 648-1636 (Telephone)  
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*Counsel for McAlister Square Partners, Ltd.*

William C. Redden, Clerk of Court  
United States Bankruptcy Court  
Eastern District of Virginia, Richmond Division  
701 E. Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

William A. Gray, Esquire (VSB #46911)  
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2. If you object to or oppose the *Motion*, you must file your objection or response timely with the Court and attend a hearing scheduled for **December 22, 2008, at 1:00 p.m.** at the United States Bankruptcy Court located at 701 East Broad Street, Suite 5000, Richmond, Virginia, in Judge Huennekens' Courtroom, in addition to filing a written objection or response to the *Motion*. If you fail to timely file a written response and to attend the hearing, the Court may consider any objection you have waived, and enter an order granting the relief requested in the *Motion* without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the *Motion* and may enter an Order granting that relief.

### **NOTICE**

Under *Local Bankruptcy Rule* 9013-1, unless a written response to the *Motion* is filed with the Clerk of Court and served on the moving party within two (2) business days prior to the December 22, 2008, hearing date, or on or before **December 18, 2008**, objecting to the relief

requested, the Court may deem any opposition waived, treat the *Motion* as conceded, and issue an Order granting the requested relief without further notice or hearing.

**Dated: December 12, 2008**

**Respectfully Submitted,**

**MCALISTER SQUARE PARTNERS, LTD.**

/s/ William A. Gray  
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*Counsel for McAlister Square Partners, Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of December, 2008, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter, and was mailed, by U.S. Mail, first class, postage prepaid, to all persons on the attached Service List.

/s/ William A. Gray

**SERVICE LIST**

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